

TENNESSEE AIR POLLUTION CONTROL BOARD
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-1531



Permit to Construct or Modify an Air Contaminant Source Issued Pursuant to Tennessee Air Quality Act

Date Issued: **SEP 08 2010**

Permit Number:
963683G

Date Expires: August 1, 2011

Issued To:

Kroger Limited Partnership I "L-507"

Installation Address:

1202 South James Campbell
Boulevard
Columbia

Installation Description:

Gasoline Dispensing Facility
Maximum Monthly Throughput \geq 100K Gal./mo

Emission Source Reference No.

60-0250-01
GACT CCCCCC
New GACT Source
(built after November 9, 2006)

The holder of this permit shall comply with the conditions contained in this permit as well as all applicable provisions of the Tennessee Air Pollution Control Regulations.

CONDITIONS:

1. The application that was utilized in the preparation of this permit was received on April 8, 2010, and is signed by Mr. Gary Walters for the permitted facility. If this person terminates his/her employment or is assigned different duties such that he/she is no longer the responsible person to represent and bind the facility in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Technical Secretary of the change. Said notification shall be in writing and submitted within thirty (30) days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the facility in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the facility until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

(conditions continued on next page)

TECHNICAL SECRETARY

No Authority is Granted by this Permit to Operate, Construct, or Maintain any Installation in Violation of any Law, Statute, Code, Ordinance, Rule, or Regulation of the State of Tennessee or any of its Political Subdivisions.

NON-TRANSFERABLE

POST AT INSTALLATION ADDRESS

2. The total stated maximum monthly throughput of gasoline for this source is 318,653 gallons per calendar month. The Technical Secretary may require the permittee to prove compliance with this rate. In the event that the monthly throughput of gasoline for this source exceeds this amount, the permittee shall provide written notification of the exceedance(s) to the Technical Secretary within fifteen (15) days from the date of discovery.
3. Pursuant to 40CFR §63.11111, this gasoline dispensing facility (GDF), located in Maury County and exceeding the applicability threshold specified in 40CFR §63.11111(d) shall be subject to all of the respective provisions of 40CFR §63.11118 for facilities exceeding this applicability threshold and shall remain subject to these provisions even if throughput later falls below this threshold or if ownership of the facility is transferred.
4. Pursuant to 40CFR §§63.11116(a) and 63.11118(a), the permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:
 - (1) Minimize gasoline spills;
 - (2) Clean up spills as expeditiously as practicable;
 - (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
 - (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
5. Pursuant to 40CFR §§63.11117(b) and 63.11118(a), except as provided in paragraph (1) below, all gasoline loaded into storage tanks at this facility shall be loaded by utilizing submerged filling. ("Submerged filling" means, for the purposes of this permit, the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than 6 inches from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition).
 - (1) Gasoline storage tanks with a capacity of less than 250 gallons are not required to comply with the submerged fill requirements in this permit condition, but must comply only with all of the requirements in **Condition 4** of this permit.
6. Pursuant to 40CFR §63.11118(b) and (c), except as provided in paragraph (1) below, the permittee shall meet each management practice in **Table 1, located in Attachment 1** to this permit, that applies to the gasoline dispensing facility.
 - (1) The emission sources listed in paragraphs (i) and (ii) below are not required to comply with the control requirements in this permit condition, but must comply with the requirements in **Condition 5** of this permit.
 - (i) Gasoline storage tanks with a capacity of less than 250 gallons that are constructed after January 10, 2008.
 - (ii) Gasoline storage tanks equipped with floating roofs, or the equivalent
7. Pursuant to 40CFR §63.11118(d), cargo tanks unloading at this facility must comply with the management practices in **Table 2, located in Attachment 1** to this permit.
8. Pursuant to 40CFR §63.11118(e), the permittee must comply with the applicable testing requirements contained in **Conditions 12 and 13**.
9. Pursuant to 40CFR §63.11118(f), the permittee must submit the applicable notifications as required under **Condition 14**.

10. Pursuant to 40CFR §63.11118(g), the permittee must keep records and submit reports as specified in **Conditions 15 through 17**.
11. Pursuant to 40CFR §§63.11118(h) and 63.11113(a)(2), the permittee must comply with **Conditions 3 through 18** of this permit upon startup of this source.
12. Pursuant to 40CFR §63.11120(a), the permittee, at the time of installation of a vapor balance system required under **Condition 6**, and every 3 years thereafter, must comply with the requirements in paragraphs (1) and (2) below.
 - (1) The permittee must demonstrate compliance with the leak rate and cracking pressure requirements, specified in item 1(g) of **Table 1, located in Attachment 1** to this permit, for pressure-vacuum vent valves installed on this source's gasoline storage tanks using the test methods identified in paragraph (i) or paragraph (ii) below.
 - (i) California Air Resources Board Vapor Recovery Test Procedure TP-201.1E, -Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, adopted October 8, 2003, a copy of which is included as **Attachment 2** to this permit.
 - (ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in 40CFR §63.7(f).
 - (2) The permittee must demonstrate compliance with the static pressure performance requirement, specified in item 1(h) of **Table 1, located in Attachment 1** to this permit, for this source's vapor balance system by conducting a static pressure test on this source's gasoline storage tanks using the test methods identified in paragraph (i) or paragraph (ii) below.
 - (i) California Air Resources Board Vapor Recovery Test Procedure TP-201.3, -Determination of 2-Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities, adopted April 12, 1996, and amended March 17, 1999, a copy of which is included as **Attachment 3** to this permit.
 - (ii) Use alternative test methods and procedures in accordance with the alternative test method requirements in §63.7(f).
13. Pursuant to 40CFR §63.11120(b), if the permittee chooses, under the provisions of 40CFR §63.6(g), to use a vapor balance system other than that described in **Table 1, located in Attachment 1** to this permit, the permittee must demonstrate to the Technical Secretary, the equivalency of their vapor balance system to that described in **Table 1, located in Attachment 1** to this permit using the procedures specified in paragraphs (1) through (3) below.
 - (1) The permittee must demonstrate initial compliance by conducting an initial performance test on the vapor balance system to demonstrate that the vapor balance system achieves 95 percent reduction using the California Air Resources Board Vapor Recovery Test Procedure TP-201.1, -Volumetric Efficiency for Phase I Vapor Recovery Systems, adopted April 12, 1996, and amended February 1, 2001, and October 8, 2003, a copy of which is included as **Attachment 4** to this permit.
 - (2) The permittee must, during the initial performance test required under paragraph (1) of this condition, determine and document alternative acceptable values for the leak rate and cracking pressure requirements specified in item 1(g) of **Table 1, located in Attachment 1** to this permit, and for the static pressure performance requirement in item 1(h) of **Table 1, located in Attachment 1** to this permit.
 - (3) The permittee must comply with the testing requirements specified in **Condition 12** of this permit.

14. Pursuant to 40CFR §63.11124(b), the permittee must comply with paragraphs (1) through (4) of this condition.
 - (1) The permittee must submit an Initial Notification that the permittee is subject to 40CFR part 63, subpart CCCCCC upon startup of this source. The Initial Notification must contain the information specified in paragraphs (1)(i) through (iii) of this condition. The notification must be submitted to the EPA Region IV Office and the Technical Secretary as specified in 40CFR §63.13.
 - (i) The name and address of the owner and the operator.
 - (ii) The address (i.e., physical location) of the GDF.
 - (iii) A statement that the notification is being submitted in response to 40CFR part 63, subpart CCCCCC and identifying the requirements in paragraphs (a) through (c) of 40CFR §63.11118 that apply to the permittee.
 - (2) The permittee must submit a Notification of Compliance Status to the EPA Region IV Office and the Technical Secretary, as specified in 40CFR §63.13, upon startup of this source. The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the requirements of 40CFR part 63, subpart CCCCCC. If this facility is in compliance with the requirements of 40CFR part 63, subpart CCCCCC at the time the Initial Notification required under paragraph (1) of this condition is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under paragraph (1) of this condition.
 - (3) The permittee must submit a Notification of Performance Test, as specified in 40CFR §63.9(e), prior to initiating testing required by **Conditions 12 and 13**.
 - (4) The permittee must submit additional notifications specified in 40CFR §63.9, as applicable.
15. Pursuant to 40CFR §63.11125(a), the permittee must keep records of all tests performed under **Conditions 12 and 13**.
16. Pursuant to 40CFR §63.11125(b), the permittee shall keep records required under **Condition 15** of this permit for a period of 5 years and shall make these records available for inspection by the Technical Secretary or his representative(s) during the course of a site visit.
17. Pursuant to 40CFR §63.11126, the permittee shall report to the Technical Secretary the results of all volumetric efficiency tests required under **Condition 13**. Reports submitted under this condition must be submitted within 180 days of the completion of the performance testing.
18. Pursuant to 40CFR §63.11130, **Table 3, located in Attachment 1** to this permit, shows which parts of the General Provisions (40 CFR part 63, subpart A) apply to the permittee.
19. This permit shall serve as a temporary operating permit from the date of issuance to the receipt of a standard operating permit (regardless of the expiration date), provided that an application for an operating permit is submitted to the Division at least sixty (60) days prior to the expiration of this permit and that the conditions of this permit and any applicable emission standards are met. The permittee shall include reports of all applicable tests performed under **Conditions 12 and 13** with the operating permit application.

(END OF CONDITIONS)